



LEGAL SERVICES CORPORATION

Request for Proposals for the Provision of Civil Legal Services (FY 2006 – Narrative Instruction)

Applicants are encouraged to submit inquiries regarding the competitive grants process to the LSC Competition Service Desk. Contact the service desk at competition@lsc.gov. Contact Reginald Haley at haley@lsc.gov, if you do not receive a response from the service desk within 48 hours. Visit the LSC competition website at www.ain.lsc.gov regularly to remain current on the LSC grants competition.

LSC will hold an Applicant Information Session (AIS), on May 18, 2005 (2:00 p.m. ET). This is a free telephonic conference to assist applicants in preparing the competitive grant application and to promote participation in the competitive grants process. See Appendix H of the RFP for details.

NOTE:

1	Document submission deadlines (see page 5 for details)
2	The LSC Resource Initiative (LRI) , located at www.lri.lsc.gov , is a clearinghouse for innovative projects and “best” practices in legal services delivery. LSC asks applicants to describe any novel or particularly effective delivery strategies that the applicant utilizes. (see pages 18 for details)
3	LSC requests applicant e-mail addresses to disseminate information on innovative projects and “best” practices in legal services delivery . (see page 49 for details)
4	LSC requests applicants to review information from LRI (at www.lri.lsc.gov) regarding “quality,” “outcomes,” “strategic planning,” and “developing partnerships to assure a full range of service” before responding to RFP inquiries on these topics. (see page 18)
5	Separate narrative supplements are required from applicants competing for multiple service areas. (see page 21 through 23 for details)
6	Applicants applying for a service area consisting of counties different from the last year the service area was in competition are required to file a governing/policy body plan. (see page 7, page 19, page 41, and Form-F Instructions for details)
7	Applicants are required to submit subgrant information if twenty-five percent or more of the LSC grant award will be allocated by subgrant, or if a subgrant is proposed for delivering a full range of services to a specific geographic area within the applicant's service area. (see page 7 for details)
8	Applicants may request approval to exceed the Proposal Narrative page limit (see Page 21).
9	Assistance to applicants preparing competitive grant applications: <ol style="list-style-type: none"> LSC Service Desk - competition@lsc.gov LSC Evaluation Guidelines at: www.ain.lsc.gov LSC Legal Resource Initiative at: www.lri.lsc.gov Applicant Information Network at: www.ain.lsc.gov LSC Performance Criteria – see Appendix C – RFP Responses to Frequently Asked Questions – see Appendix F - RFP LSC Applicant Information Session – see Appendix H – RFP Guidance on Responding to the RFP – see Appendix K – RFP

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FORMS **RFP forms and their instructions are available for review and printing at www.ain.lsc.gov**

APPENDICES **RFP Appendices are available for review and printing at www.ain.lsc.gov**

Except where otherwise noted, resource materials referenced throughout the RFP are available at www.ain.lsc.gov.

LEGAL SERVICES CORPORATION REQUEST FOR PROPOSALS

Applicants should read this Request for Proposals (RFP) in its entirety before preparing the proposal narrative. In responding to the RFP, applicants must demonstrate that they are or will be part of a delivery system that ensures the availability of full range of legal assistance in the service area for which they are applying, that they are capable of delivering high quality legal services, and that their legal services delivery strategy effectively and efficiently addresses the most critical legal needs of eligible clients in the service area. This RFP contains the instructions and requirements for preparing the proposal narrative including the content, format, and submission requirement. It also includes references to all applicable laws and regulations. All successful applicants will be expected to be in strict compliance with these requirements.

I. OVERVIEW

The Legal Services Corporation (LSC) is a private, non-profit corporation established by Congress in 1974 to provide funding for the provision of civil legal services to low-income persons. In Fiscal Year (FY) 2005, approximately \$318 million in grant funds were distributed to 140 local legal services programs operating more than 800 neighborhood offices. It is anticipated that Congress will appropriate a similar amount to fund legal services for FY 2006.

LSC proposes to award grants to programs in order to serve every county in the United States; the District of Columbia; the territories, including American Samoa, the Commonwealth of Puerto Rico, the U.S. Virgin Islands and Guam; and an area that includes the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. LSC regulations require these programs to be administered by local governing or policy bodies, a majority of whose members are appointed by state and/or local bar associations and at least one-third of whose members are eligible clients. The programs provide legal assistance to individuals pursuant to established local priorities that respond to pressing community needs.

LSC has promulgated a suggested list of priorities for use by the local governing or policy bodies in setting their local priorities. See LSC Program Letter 96-2 at www.ain.lsc.gov (once at the site, click on Bulletin Board, then RFP Appendices). The most common categories of cases handled by LSC recipients are family, housing, income maintenance, consumer, health, and employment. Case types frequently encountered include evictions, debt collection, foreclosures, divorces, child custody, spousal abuse, child abuse or neglect, access to health care, and benefit claims such as unemployment, disability, food stamps, and public assistance.

Congress has adopted legislation mandating a system of competition for the award of LSC grants and contracts, which became effective April 1, 1996. As a result, LSC has adopted a regulation, 45 C.F.R. Part 1634, entitled Competitive Bidding for Grants and Contracts. Under this competitive

process, LSC invites proposals from interested parties for the provision of civil legal assistance in the service areas listed at www.ain.lsc.gov (once at the site, click on Bulletin Board, then RFP Appendices). Consistent with the law and regulations, LSC will not grant any preference to current or previous recipients of LSC funds.

Through this competitive process, LSC hopes to fund those qualified attorneys, organizations and entities that will most effectively and efficiently provide high quality legal representation to eligible clients within a comprehensive, integrated state delivery system.

In the event that enactment of future congressional legislation necessitates changes in the timing and/or content of this RFP, notice will be provided to the public and all applicants. In such circumstances, continued funding may be provided to the current recipient during any interim period necessitated by congressional actions. See also Section III.

REQUESTS FOR INFORMATION. Applicants should direct all inquiries to the LSC competition service desk at competition@lsc.gov.

COMPETITION DATES

1	Registration for Applicants Informational Session	By May 9, 2005 (5:00 p.m. ET)
2	Applicant Information Session Conducted	May 18, 2005 (2:00 p.m. ET)
3	Notice of Intent to Compete Due Date	May 23, 2005 (5:00 p.m. ET)
4	Grant Proposal Due Date	June 17, 2005 (5:00 p.m. ET)
5	Grant Decisions Published	December 2005

States with service areas in competition:

1. Alaska	10. Iowa	19. Oregon
2. American Samoa	11. Kansas	20. Pennsylvania
3. California	12. Maryland	21. Rhode Island
4. Connecticut	13. Maine	22. Utah
5. DC	14. Micronesia	23. Vermont
6. Delaware	15. Nebraska	24. Virgin Islands
7. Guam	16. New Hampshire	25. Virginia
8. Hawaii	17. New Jersey	26. Washington
9. Idaho	18. Nevada	27. Wisconsin

II. ELIGIBILITY AND FUNDING

ELIGIBILITY. The following persons, groups, and entities are eligible to compete for a grant:

1. Non-profit organizations that have as a purpose the provision of legal assistance to eligible clients;
2. Private attorneys, groups of attorneys or law firms (except that no private law firm that expends 50 percent or more of its resources and time litigating issues in the broad interests of a majority of the public may be awarded a grant or contract under the Legal Services Corporation Act)¹;
3. State or local governments; and
4. Sub-state regional planning or coordination agencies that are composed of sub-state areas whose governing boards are controlled by locally elected officials.

As described in Section IV of the RFP, all applicants should review the provisions of the Legal Services Corporation Act (LSC Act), regulations, guidelines, and the provisos contained in current Congressional appropriations acts. These provisos contain restrictions on the activities of recipients of LSC funds and may affect the eligibility of potential applicants.

NOTICE OF INTENT TO COMPETE. In order to participate in the competition process, an applicant **must** submit a Notice of Intent to Compete to LSC. LSC requires all applicants to submit the Notice of Intent to Compete electronically, using LSC's Applicant Information Network (AIN). AIN and the instructions on how to use it are available at www.ain.lsc.gov. The Notice of Intent to Compete is Form H. The Notice requires the electronic submission of the following information:

1. The names and resume information of the principals and key staff; and

¹ A group of attorneys (not a law firm) can compete for LSC grants under two options:

- (1) it can choose to compete as a non-incorporated body, as long as it complies with the requirements set forth in 45 C.F.R. 1607; or
- (2) it can elect to incorporate as a non-profit and apply for federal tax-exempt status as a non-profit.

If the group elects the second option, the group of attorneys does not have to be fully incorporated and does not have to already have its tax-exempt status to file a Notice of Intent to Compete. However, the group must be incorporated as a non-profit, have its governing body in place and have already filed with the IRS for its tax-exempt status by the time it submits its completed grant application.

2. The names and resume information of current or proposed governing or policy body members and their appointing organizations.

Any applicant, including a current recipient of LSC funds that fails to submit a timely Notice of Intent to Compete will be ineligible for the 2006 grant year competition. Applicants that are unable to use the LSC Internet application due to extraordinary circumstances beyond their control must contact LSC at competition@lsc.gov, prior to the due date of the Notice of Intent to Compete. LSC can agree to extend the date for submission of that Notice in the event of extraordinary circumstances.

GOVERNING/POLICY BODY REQUIREMENT. All successful applicants must have a governing or policy body consistent with the requirements of 45 C.F.R. Part 1607 of the LSC regulations. An applicant that is not in compliance at the time the grant is awarded will be required to be in compliance with 45 C.F.R. Part 1607 within sixty days from the date the grant award is made. This regulation is designed to ensure that the governing or policy body of a recipient of LSC funds is well qualified to guide a recipient in its efforts to provide high quality legal assistance and to ensure that the recipient is accountable to its clients.

Applicants that do not currently have a governing or policy body that complies with 45 C.F.R. Part 1607 must provide a plan to meet the governing/policy body requirements. Note: Applicants applying for a service area consisting of counties that are different from the last year that the service area was in competition are required to file a governing/policy body plan that assures that a majority of the entire Board be attorneys who are appointed by the bar associations representing a majority of the attorneys in the service area(s). See Part - 2 – A (Other Required Documents – Governing/Policy Body) of this document and Form F Instructions for details.²

For applicants planning to have a policy body, submission of this plan shall be deemed submission of a waiver request under 45 C.F.R. Part 1607 and shall be subject to approval by the President of LSC under Part 1607. **Submit the governing/policy body plan along with and at the end of the proposal narrative.**

PRIVATE ATTORNEY INVOLVEMENT REQUIREMENT. All successful applicants (including private attorneys, groups of attorneys and law firms) for Basic Field-General service areas will be required to comply with 45 C.F.R. Part 1614, which requires that an amount equal to at least 12 1/2% of the annual LSC award will be devoted by the applicant to the involvement of private attorneys in the delivery of legal services to the poor. This requirement seeks to leverage limited resources by involving the bar through pro bono and compensated programs that generate additional services for eligible clients.

SUBGRANTS. Applicants are required to submit subgrant information if twenty-five percent or more of

²This requirement helps assure that the governing/policy body of an LSC grantee reasonably reflects the diversity of the legal community and the population of the areas served including race, gender, ethnicity, and other similar factors; is sensitive to the diverse needs of the community; and has the capacity to promote high quality client-centered legal services in newly defined and/or diverse service areas.

the LSC grant award will be subgranted, or if a subgrantee will deliver a full range of services to a specific geographic area within the overall service area. **The information required for subgrants is detailed on page 38 of this instruction.** Applicants are also required to review Section 1627 of the LSC Regulation. The LSC Regulation is at Appendix J of the RFP Appendices.

Note: Applicants are asked to contact LSC's Office of Program Performance (OPP) beforehand if there are plans to use subgrants to provide a full range of services to a specific geographic area, or if 25 percent or more of the LSC grant will be subgranted. LSC may not approve such subgrants absent special circumstances justifying them. Applicants should contact LSC/OPP at competition@lsc.gov if there are plans to use subgrants of this nature in its delivery of legal services. Include in your e-mail: **a)** the applicant name, **b)** the applicant number, **c)** applicant contact information, **d)** the service area you are applying for, **e)** a brief description of the subgrant proposed, and **f)** the name of the proposed subgrantee, if available. **Write "Subgrant" on the subject line of the e-mail.** LSC staff will contact you about this matter as soon as possible.

AWARD PERIOD. Grants awarded under this competitive process will be for periods of up to three years. LSC anticipates that most grants will be awarded for periods ranging between one and three years. Some grants may also be awarded for less than one year. Monitoring for compliance with the grant terms, the LSC Act, regulations, guidelines, and instructions may be conducted during the grant period. Noncompliance with the grant terms, applicable laws, or regulations may result in termination of the grant award at any time during the grant period. Applicants awarded multi-year grants will be required to submit reports and grant renewal forms as part of the annual grant renewal process.

AVAILABILITY OF FUNDS. The final LSC appropriation for FY 2006 is not expected to be known until late fall 2005. For purposes of completing this application, it is anticipated that the FY 2006 funding level for grants will be similar to that for FY 2005, which was approximately \$318 million. However, since LSC funding is subject to future Congressional action, there is no guarantee that this amount of funding will be available.

A list of service areas and estimated FY 2006 funding levels for each service area can be found at www.ain.lsc.gov (once at the site, click on Bulletin Board, then RFP Appendices). The actual grant awards for individual service areas will be based on the amounts, terms, and conditions contained in the final FY 2006 appropriation, and calendar year 2000 census data, and may vary significantly from the amount estimated. Revised budgets and plans, based on the final appropriation, may be required from all successful applicants. LSC reserves the right to: 1) vary the amount awarded from the amount applied for; and 2) provide funding in graduated amounts to assist new recipients with start-up and transition.

III. SERVICE AREAS

SERVICE AREAS. There are three types of service areas: Basic Field-General, Basic Field-Native American, and Basic Field-Migrant. The list of service areas for which FY 2006 grants are available is at www.ain.lsc.gov (once at the site, click on Bulletin Board, then RFP Appendices). Applicants may apply for grants for one or more of the service areas. LSC will not consider proposals to divide service areas

into smaller units. Applicants must apply for the full amount of the grant funds available for the service area(s) included in their proposal.

After consideration of the grant applications, staff reports, and other available information, the LSC President shall determine the applicants to be awarded grants. The President's determination can include awarding a grant for one or more of the service areas competed for by an applicant, or not awarding a grant to any of the applicants for a particular service area.

If there are service areas for which no applicant applies or for which there is no qualified applicant, LSC has discretion to determine how legal assistance is to be provided to the service area. LSC's options include, but are not limited to, enlarging the service area of a neighboring recipient or entering into a short term grant or contract with another qualified provider for the provision of legal assistance in the service area until the completion of a competitive grants process within a reasonable period of time. (See 45 C.F.R. §§ 1634.8, 1634.9).

COMBINING SERVICE AREAS. If a successful applicant is awarded more than one service area, LSC may, in its discretion, combine the service areas into a single service area.

FULL RANGE OF SERVICES. LSC seeks to fund proposals to provide a full range of services throughout each service area, consistent with the restrictions of the LSC Act and the appropriations acts. The proposal narrative guidelines (Section IX) require applicants to describe plans to provide services to meet the basic legal needs of the eligible client population in the service area. Form G-12 (Projected Expenditures by type of Activity) provides a listing of the types of cases and services typically undertaken on behalf of low-income clients.

Where Applicants plan to provide less than the full range of legal services to all eligible clients in a service area -- e.g., services limited to legal assistance in a single area of the law such as housing, divorces, or bankruptcy, or proposals limited to a particular type of legal assistance such as advice, referral and brief service -- the grant application will not be accepted, unless the applicant demonstrates to LSC's satisfaction, that it is or will be part of a delivery system that ensures the availability of a full range of legal assistance in that service area. The grant application in its totality must meet this threshold requirement to be considered qualified.

The requirement to provide or ensure the availability of a full range of services cannot rest on a mere profession to do so. In the proposal narrative, the applicant must affirmatively describe a collaborative arrangement with partners in the service area to develop and implement a delivery system that ensures a full range of legal services. The applicant must also describe the capacity of the participants in the collaborative arrangement to address issues and case types not handled by the applicant.

IV. APPLICABLE LAW AND GRANT REQUIREMENTS

Applicants should be thoroughly familiar with the provisions of the LSC Act, regulations and guidelines, and with the provisos contained in current and pending Congressional appropriations acts. All recipients will be required to comply with all requirements contained therein. As noted above, the terms and conditions of the RFP are subject to change, pending Congressional action on the FY 2006 appropriations and authorization bills.

APPLICABLE LAW. All grants made pursuant to this solicitation will be subject to the LSC Act of 1974, as amended and applicable appropriations acts, all lawful requirements of the rules and regulations, policies, guidelines, instructions, and other directives of LSC. Any amendments or other applicable laws adopted during the period of this grant shall also apply. The LSC Act, as amended, can be found at 42 U.S.C. §2996; the implementing regulations can be found at 45 C.F.R. Part 1600, et seq. Several regulations have been revised or promulgated since the last publication of the Code of Federal Regulations. See LSC regulations at www.ain.lsc.gov (once at the site, click on Bulletin Board, then RFP Appendices). The LSC regulation on competitive bidding for grants and contracts can be found at 45 C.F.R. Part 1634.

Public Law 108-447, the FY 2005 LSC Appropriations Act, is found at www.ain.lsc.gov (once at the site, click on Bulletin Board, then RFP Appendices). It identifies the restrictions on recipients of LSC funds and incorporates the restrictions from the LSC appropriation acts from FY-1996 to date. The LSC appropriations acts from 1996 to date are at www.ain.lsc.gov (once at the site, click on Bulletin Board, then RFP Appendices). *A review of the LSC Appropriations Acts should not be substituted for a full review of the applicable law, regulations and guidelines.*

All of the requirements noted above are included by reference in the LSC Grant Assurances (Form C) for FY 2006. Applicants will certify that they will comply with the LSC Grant Assurance by signing and returning Form I (the LSC Certification Form) to LSC. Applicants should retain a copy of the Grant Assurances in their files, but should not return the Grant Assurances to LSC. Successful applicants may be required to sign additional conditions.

LSC intends to fund only those applicants capable of delivering high quality legal services. Therefore, all applicants will be evaluated according to the LSC Act and regulations, the LSC Performance Criteria, the American Bar Association (ABA) Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means, and the ABA Standards for Providers of Civil Legal Services to the Poor, except where the provisions of the Criteria and ABA Civil Standards conflict with applicable law or other funding restrictions. The LSC Performance Criteria and the ABA Standards are found at www.ain.lsc.gov (once at the site, click on Bulletin Board, then RFP Appendices).

LSC continues to support and encourage state planning efforts to promote comprehensive, integrated, state delivery systems. LSC issued Program Letters 02-3 (and attachments), 02-2, and 2000-7, requiring all LSC recipients to engage in a statewide planning process. LSC Program Letters are at www.ain.lsc.gov (once at the site, click on Bulletin Board, then RFP Appendices). The LSC Strategic

Directions are at www.lsc.gov. In addition, LSC continues to encourage formal arrangements, such as voluntary mergers and considers them consistent with the competitive process. Please note, however, that certain actions by applicants such as, specific agreement among potential competitors, including current recipients, not to compete for a particular service area or to assign who will compete for particular service areas, may have implications under federal and state antitrust laws. Applicants interested in pursuing voluntary mergers should consult antitrust counsel before taking actions or entering into agreement(s) that could be viewed as restraining competition.

GENERAL LSC REPORTING REQUIREMENTS. All recipients of LSC funds will be subject to compliance monitoring for the period of the grant award. This will include, but will not be limited to, audits conducted according to the LSC Audit Guide. LSC may require submission of periodic reports of program activity and financial status during the grant period. Additionally, the LSC Act authorizes LSC to require reports and other information from recipients to ensure compliance with LSC regulations and other requirements. LSC reporting requirements are at www.rin.lsc.gov, under “Bulletin Board.”

NONDISCRIMINATION. No person or entity shall be discriminated against in the awarding of these grants on the basis of race, gender, age, color, national origin, religion, disability, sexual orientation or any other basis prohibited by law. LSC policy requires the adoption of employment policies and procedures that meet the requirements of applicable laws prohibiting employment discrimination, and requires recipients to take affirmative action to ensure equal employment opportunity. LSC expects to fund those applicants whose employment policies and practices indicate an organizational value of diversity in employment.

FREEDOM OF INFORMATION ACT. The Freedom of Information Act and the associated LSC regulation may require the release of certain grant applications or documents to the public. In general, during the competition process, LSC will not release any competitive grant documents that would cause competitive harm to an applicant.

For specific guidance on the availability of information submitted by any applicant, both before and after grants are awarded, refer to LSC’s Freedom of Information Act regulation, 45 C.F.R. Part 1602, 62 Fed. Reg. 45754 (August 29, 1997), and the Preamble to the Competitive Bidding for Grants and Contracts regulation, 45 C.F.R. Part 1634, 61 Fed. Reg. 14255 (April 1, 1996).

V. APPLICATION PROCESS AND INSTRUCTIONS

SUBMISSION PROCEDURES. All competitive grant documents will be transmitted electronically. Documents that were previously submitted in hard copy will be converted to PDF and then uploaded at www.ain.lsc.gov. Once at the site, click on “Grant Application,” then click on “Grant Application Forms,” enter your applicant ID and password, then click on “Application PDF Upload.” The following documents will be uploaded as separate PDF files:

- Certification Form (**Form I**),
- Attachment 2 of the RFP Narrative Instruction (**Subgrant Certification**),

- Performance Evaluations or Monitoring reports by non-LSC funders, regulatory agencies, or evaluators **(PEM)**, and
- Financial Audits for three years (Applies only to applicants that are not current LSC recipients) **(Audits)**.

Use the individualized upload links for the corresponding document being uploaded. Use only the grantee number and the document name **(shown in parenthesis and bolded)** as the file name. For example, if your grantee number is 111000, and you are uploading the Certification Form, the PDF file name would be 111000Form I.pdf.

All other competitive grant forms including the proposal narrative (Form L) will also be transmitted electronically at www.ain.lsc.gov as they have in the past. Refer to page 16 - 17 for details. Send any inquiries about submission procedures to competition@lsc.gov. Applicants will certify that they will comply with the LSC Grant Assurance by signing Form I (the LSC Certification Form). Applicants should retain a signed copy of the LSC Grant Assurances in their files, but should not return the Grant Assurances (Form-C) to LSC. Do not submit copies of any documents that are not requested by LSC. Video and audio presentations will not be accepted.

NOTICE OF INTENT TO COMPETE. All applicants are reminded that in order to submit a proposal, they must first submit a Notice of Intent to Compete using the LSC Applicant Information Network. The Notice of Intent to Compete Form (Form H) is at www.ain.lsc.gov.

NONCONFORMING SUBMISSIONS. Applications determined to be substantially incomplete or nonconforming upon first submission will be rejected. For applications determined to be substantially complete, but in need of minor amendment, LSC will notify the applicant of the need for amendment. Applicants will be given seven calendar days from their receipt of the notice to revise and deliver a conforming and complete application to LSC. Applicants who fail to complete and/or revise the application within the designated time period will be disqualified.

NEW APPLICANTS. Applicants who have not received a LSC grant in prior years must respond to each section of the grant application narrative, unless otherwise indicated. If the applicant does not yet have a particular system, strategy, procedure, policy, task, or activity in place at the time the grant application is submitted to LSC, the narrative must describe the applicant's plans for adopting a particular system, strategy, procedure, or policy or accomplishing a task or activity.

NOTICE OF INTENT TO WITHDRAW APPLICATION. Applicants who wish to withdraw their application submission must notify LSC in writing as soon as possible. Include the applicant name and service area code(s) of the service area(s) for which the application is being withdrawn. The withdrawal notification must be signed by the applicant and dated. Once the notice is signed, convert it to PDF and e-mail it to Competition@lsc.gov. No notice is required if a potential applicant has submitted a Notice of Intent to Compete but does not submit a completed application.

INSTRUCTIONS ON FORMAT. Applicants applying for multiple service areas (i.e., basic field-general, basic field-migrant, and/or basic field-Native American) must submit a proposal narrative that addresses the primary service area (i.e., the service area receiving the larger LSC grant) and a separate narrative supplement for each of the other service area types (see page 21 and 23 for details). The application narrative and narrative supplements must:

1. include headers containing the following information: “Proposal Narrative,” or (“Narrative Supplement” if applicable,) the applicant’s name, the six digit applicant number; and the service area code for each service area the applicant is applying for;
2. be double-spaced (single spaced submittals that exceed 23 pages will be returned);
3. use a standard font type not less than 12 points;
4. be numbered and outlined pursuant to Attachment – 1;
5. not exceed specified page limits; and
6. have one-inch top, bottom, left, and right margins.

ACKNOWLEDGMENT OF RECEIPT. LSC will send applicants an e-mail acknowledgment of proposal receipt immediately after the proposal has been reviewed for completeness.

APPLICANT INFORMATIONAL SESSION. LSC will conduct a telephonic information session Wednesday, May 18, 2005 (2:00 p.m. ET) to respond to applicants’ questions concerning this RFP. The session is free. It is designed to provide an understanding of the information needed to prepare the FY 2006 grant proposal and to promote participation in the competition process. Registration materials for this telephonic conference are found at www.ain.lsc.gov (once at the site, click on Bulletin Board, then RFP Appendix - H). Applicants will have an opportunity prior to and during the session to e-mail questions to LSC for response. Applicants are encouraged to participate in the telephonic conference. Additionally, LSC publishes frequently asked questions and responses at www.ain.lsc.gov (once at the site, click on Bulletin Board, then RFP Appendices).

VI. APPLICATION REVIEW AND SELECTION PROCESS

APPLICATION REVIEW. All proposals are reviewed pursuant to the procedures required by 45 C.F.R. Part 1634.

For service areas where there is a single applicant, LSC staff completes the proposal review and prepares a funding recommendation. In addition to its own review, LSC reserves the right to have the proposal reviewed by an outside reviewer.

For service areas with more than one qualified applicant, LSC will convene a review panel of outside evaluators. The review panel will review the applications and any summaries prepared by LSC, and will

make recommendations to LSC regarding awards for the service areas. In addition to the outside review panel process, LSC will evaluate the applications through an internal staff review process. Both the review panel recommendation and the staff recommendation will be considered by LSC in making its final funding decision.

For both single and multiple applicant service areas, LSC may undertake site visits with some or all applicants before making final grant decisions.

SELECTION CRITERIA. The primary criterion for LSC's consideration of all applications is the use of limited LSC resources to produce high quality, effective and economical legal assistance that seeks to meet the basic legal needs of eligible clients. For guidance regarding this primary criterion, applicants are directed to the LSC Act and regulations, the Legal Services Corporation Performance Criteria, the ABA Standards for Providers of Civil Legal Services to the Poor, and the ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means. Applicants will be evaluated according to the LSC Act and regulations, LSC Performance Criteria and the ABA Standards, except where those provisions are in conflict with applicable law or other funding restrictions. The LSC appropriations acts, the LSC regulations, the LSC Performance Criteria, and the ABA Standards are at www.ain.lsc.gov (once at the site, click on Bulletin Board, then RFP Appendices).

LSC will evaluate each application according to nine specific selection criteria, which are contained in the LSC regulation on competitive bidding for grants and contracts, 45 C.F.R. §1634.9. As outlined in Section IX, Guidelines for Proposal Narrative, each applicant must demonstrate its ability to meet the selection criteria, which are listed below.

1. Whether applicant has a full understanding of the basic legal needs of the eligible clients in the area to be served. 45 C.F.R. §1634.9(a)(1).
2. The quality, feasibility, and cost-effectiveness of the applicant's legal services delivery and delivery approach in relation to LSC's Performance Criteria and the American Bar Association's Standards for Providers of Civil Legal Services to the Poor, as evidenced by, among other things, the applicant's experience with the delivery of the type of legal assistance contemplated under the proposal. 45 C.F.R. §1634.9(a)(2).
3. Whether the applicant's governing or policy body meets or will meet all applicable requirements of the LSC Act, regulations, guidelines, instructions and any other requirements of law in accordance with a time schedule set out by LSC. 45 C.F.R. §1634.9 (a)(3).
4. The applicant's capacity to comply with all other applicable provisions of the LSC Act, rules, regulations, guidelines and instructions, as well as with ethical requirements and any other requirements imposed by law. Evidence of the applicant's capacity to comply with this criterion may include, among other things, the applicant's compliance experience with LSC or other funding sources or regulatory agencies, including, but not limited to, Federal or State agencies, bar associations or foundations, courts, IOLTA programs, and private foundations. 45 C.F.R. §1634.9(a)(4).

5. The reputations of the applicant's principals and key staff. 45 C.F.R. §1634.9(a)(5).
6. The applicant's knowledge of the various components of the legal services delivery system in the State and its willingness to coordinate with the various components as appropriate to assure the availability of a full range of legal assistance, including: (a) its capacity to cooperate with State and local bar associations, private attorneys and pro bono programs to increase the involvement of private attorneys in the delivery of legal assistance and the availability of pro bono legal services to eligible clients; and (b) its knowledge of and willingness to cooperate with other legal services providers, community groups, public interest organizations and human services providers in the service area. 45 C.F.R. §1634.9(a)(6).
7. The applicant's capacity to develop and increase non-LSC resources. 45 C.F.R. §1634.9(a)(7).
8. The applicant's capacity to ensure continuity in client services and representation of eligible clients with pending matters. 45 C.F.R. §1634.9(a)(8).
9. The applicant does not have known or potential conflicts of interest, institutional or otherwise, with the client community and demonstrates a capacity to protect against such conflicts. 45 C.F.R. §1634.9(a)(9).

VII. AWARD NOTIFICATION AND GRANT NEGOTIATION

GRANT NEGOTIATIONS. LSC may, in its discretion, conduct discussions and/or site visits with some or all applicants before making final grant decisions. Applicants may be subject to additional grant conditions as part of the final grant award.

TRANSITION ISSUES. LSC seeks to implement this competitive grant process with the least amount of disruption to current clients and the client community at large. Specific transition plans will be developed with input from the parties affected by the funding decision, as appropriate, to help accomplish an orderly transition. At the point that a decision has been made to fund an applicant, LSC will contact that applicant to assist in preparation of a specific transition plan. All parties affected by the funding decision are required to actively participate in an orderly transition process and work to resolve any transition issues to the satisfaction of LSC. Transition plans must demonstrate to the satisfaction of LSC that client services are not interrupted throughout the service area during the transition period. LSC shall make the final determination about transition plans and funding to assure that services to clients are not interrupted.

FINAL AWARD DECISIONS. Final award decisions are made by the President of LSC. In making the final awards, LSC may award a grant or contract to an applicant for a period of up to three years. LSC reserves the right to choose other alternatives to ensure the provision of legal assistance to the service area.

VIII. APPLICATION COMPONENTS

A completed application consists of the documents listed below in Charts A and B. Use the PDF submission instructions below for all documents listed in Chart (A):

PDF Submission Instructions:

1. Submit each document as a separate file at www.ain.lsc.gov. Once at the site, click on “Grant Application,” then click on “Grant Application Forms,” enter your applicant ID and password, and then click on “Application PDF Upload.”
2. Identify the grantee number and the document submitted as the PDF file name. For example, if your grantee number is 111000, and you are uploading the Certification Form, the PDF file name would be 111000Form I.pdf.
3. Do not submit paper copies of any competition documents to LSC. E-mail any questions regarding this matter to the competition service desk at competition@lsc.gov.

Chart (A)

Form/Document to Convert to PDF	File Naming Convention	Transmission Location
Form I – Certification	Grantee #Form I.pdf	PDF to www.ain.lsc.gov - Application PDF Upload site
Supplemental Documentation:		
1. Subgrant certification (applies only to applicants proposing subgrants as described on page 38 of this instruction) <u>See page 7 before preparing subgrant information.</u>	Grantee#subgrant certification.pdf	PDF to www.ain.lsc.gov - Application PDF Upload site
2. Performance evaluations and monitoring reports by non-LSC funders, regulatory agencies, or evaluators within the past thirty-six months, if any	Grantee#PEM.pdf	PDF to www.ain.lsc.gov - Application PDF Upload site
3. Independent financial statement audits for the last three years and the appropriate management letters, if available. (Applies only to applicants that are not LSC Recipients)	Grantee#Audit.pdf	PDF to www.ain.lsc.gov - Application PDF Upload site

Submit the documents listed in Chart (B) using the LSC Applicant Information Network at www.ain.lsc.gov.

Chart (B)

Form / Document Name	Transmission Location
Form L Proposal Narrative (and Narrative Supplement) Requisite attachments to be included with/below the proposal narrative: Resumes, List of References, List of Disciplinary Complaints, List of Malpractice Lawsuits, Governing/Policy Body Plan (see page 19), Subgrant information (see page 38) <u>See page 7 before preparing any subgrant information</u> , and Applicant Staff Contact Information.	www.ain.lsc.gov
Form A -- Grant Application Form	www.ain.lsc.gov
Form B – Application Checklist	www.ain.lsc.gov
Form D – Budget Forms	www.ain.lsc.gov
Form F – Governing/Policy Body Form	www.ain.lsc.gov
Form G-12 – Projected Expenditures by Type of Activity	www.ain.lsc.gov
Form H – Notice of Intent to Compete	www.ain.lsc.gov
Form K – Technology Form	www.ain.lsc.gov

The components of the application are described below. Applicants must not exceed the page limits established for specific portions of the application. Supplemental documentation should be limited to items specifically requested in the application. No other supporting materials will be accepted unless requested by LSC.

- 1. Proposal Narrative.** Applicants applying for more than one service area type must submit a proposal narrative that addresses the primary service area (i.e., the service area receiving the larger LSC grant) and a separate narrative supplement for each additional service area type. The proposal narrative provides a comprehensive framework and description of all aspects of the proposed legal services delivery approach. Write the proposal narrative so that it clearly describes the proposed legal services delivery approach in a manner that is self-explanatory to reviewers unfamiliar with prior relevant activities of the applicant. Use the proposal narrative outline included with this RFP (Attachment 1) to prepare the proposal narrative and the narrative supplement(s). The proposal narrative must be concise, well organized, and contain all the information necessary for reviewers to understand the proposed program. Spell out all acronyms and explain terminologies and concepts used. LSC has prepared a general guidance memorandum to assist applicants in responding to the Request for Proposals. The guidance memorandum is at www.ain.lsc.gov (once at the site, click on Bulletin Board, then RFP Appendices). The specific guidelines and criteria that

must be addressed in the proposal narrative are detailed in Section IX. Applicants seeking funding for a service area with a poverty population of one million or more persons are allowed up to an additional ten double-spaced pages for the program narrative.

The LSC Resource Initiative (LRI) is an online library containing innovative delivery approaches, strategies and tools. The LRI web site (www.lri.lsc.gov) provides hundreds of articles and publications on topics such as: outcomes, quality, technology, case management systems, community economic development projects, and pro se to name a few; and information links to LSC and non-LSC funded civil legal services providers and other law-related organizations and institutions. **More than half of the publications on LRI are from LSC grantees.**

LSC is providing applicants an opportunity to join their colleagues in showcasing novel or particularly effective delivery strategies. Applicants may have two pages per service area to describe innovative techniques or ideas that promote collaborative partnerships and/or quality legal services to low-income people.

Title these pages **“LRI.”** Applicants may address any topic that promotes legal services delivery. Contact Monica Holman Evans, if you have questions about this opportunity or for general information about LRI at: lri@lsc.gov. Applicants are encouraged to visit www.lri.lsc.gov regularly for model concepts and “best” practices in legal services delivery.

A weight will not be assigned to this section of the RFP, nor will it impact grant award decisions. With the applicant’s permission, LSC may feature selected innovative techniques or ideas on LRI. An applicant’s response to this section of the RFP will not count against the applicant’s page limit for the proposal narrative.

All applicants must submit the proposal narrative (and narrative supplements) using the LSC Internet Applicant Information Network. The instructions are at www.ain.lsc.gov. Do not submit the proposal narrative (or narrative supplements) in hard copy or as a pdf file.

2. **Subgrant information:** Refer to page 38 of this narrative instruction for details on preparing subgrant information. Applicants should provide this information in electronic form only. Include this information with/below the application narrative. This information does not count against the proposal narrative page limit. See page 7 before preparing subgrant information.
3. **Grant Application Form (Form A).** All applicants must complete and submit Form A using the LSC Internet Applicant Information Network. The form and instructions are at www.ain.lsc.gov. The applicant’s contact person, who is identified on Form A, will serve as the applicant’s liaison to LSC, and should be the Executive Director or functional equivalent. Applicants must identify service area(s) they are applying for on Form A. The listing of service areas being competed for calendar year 2006 grants is at www.ain.lsc.gov (once at the site, click on Bulletin Board, then RFP Appendices).

Note: LSC does not require a formal approval of the application by the governing/policy body prior to submission of the proposal. However, all applicants that currently have a board must certify on Form I that a copy of their proposal was made available to each governing/policy body member.

4. **Grant Application Checklist (Form B).** This form is used as a final check and tracking system to assure applicants have completed all of the required components of the application. Applicants use this form to identify and verify the number pages in their PDF documents and the proposal narrative submitted to LSC. Please note that a portion of Form-B will be automatically completed as the remaining forms (e.g., Forms A, D, G-12, etc.) are submitted using LSC's Internet application. Applicants must review Form-B once all other documents and forms are submitted to LSC to verify that all grant application documents and forms are properly. The Checklist is submitted using the LSC Internet Applicant Information Network. The form and instructions are at www.ain.lsc.gov.
5. **Grant Assurances Form (Form C).** Applicants are required to certify, as a condition for approval of their grants, that they will comply with the requirements listed on the Grant Assurances Form. Applicants will certify that they will comply with the LSC Grant Assurances using the LSC Certification Form (Form-I). Applicants should retain a copy of the LSC Grant Assurances in their grant files, but should not return the Grant Assurances to LSC.
6. **Budget Forms (Form D).** These forms collect projected expense and revenue data. The forms and instructions are provided at www.ain.lsc.gov.
7. **Governing/Policy Body Form (Form F).** This form collects information about the applicant's governing/policy body. The governing/policy body form and instructions are at www.ain.lsc.gov. Note: Applicants applying for a service area consisting of counties that are different from the last year that the service area was in competition are required to file a governing/policy body plan that assures a majority of the entire Board be attorneys who are appointed by the bar associations representing a majority of the attorneys in the service area(s), and assures the Board reasonably reflects the diversity of the population of the area(s) served. See Part - 2 – A (Other Required Documents – Governing/Policy Body) of this document and Form F Instructions for details.
8. **Projected Expenditures by Type of Activity (Form G-12).** This form collects projected expenditures for cases, matters, and supporting activities. The form and instructions are at www.ain.lsc.gov.
9. **Notice of Intent to Compete (Form H).** Applicants must submit this form to participate in the competition process. This form collects names and resumes of the principals, key staff, and governing/policy body members. The form and instructions are at www.ain.lsc.gov.
10. **Applicant Certification (Form I).** This is a required signature document in which applicants certify that they will comply with the LSC Grant Assurances (Form C), and that they have certain documents on file and will make them available to LSC upon request. The form is at www.ain.lsc.gov. **Complete this form, convert it to PDF, and upload the PDF file at www.ain.lsc.gov - Application PDF Upload site**

11. Technology Form (Form K). This form collects information about current and planned office technology. The forms and instructions are provided at www.ain.lsc.gov.

12. Requisite Attachments.

Applicants must submit:

- (a) Resumes of the Executive Director (CEO or functional equivalent), Governing/Policy Body Chair, Chief Financial Officer, Litigation Director, or other most senior attorney(s), if known. For lawyers and law firms, provide the resumes of no more than ten of the partners, senior associates, and administrative managers who will be most involved in management or service delivery if a grant is awarded.
- (b) List of up to five professional references for the applicant's organization or, in the case of a new organization, applicant's principals. Provide e-mail addresses, fax numbers, mailing addresses, and telephone numbers. Do not submit letters of reference.
- (c) List of professional disciplinary complaints, criminal convictions, civil contempt, and malpractice lawsuits and/or claims made against the applicant or any of its current attorneys during the past thirty-six months. If the applicant has not had any, please state "There have been no disciplinary complaints, criminal convictions, civil contempt, and malpractice lawsuits and/or claims made against the applicant or any of its current attorneys during the past thirty-six months."

Attach items (a) through (c) below the proposal narrative. Transmit this information electronically at www.ain.lsc.gov. This information will not count as part of the application narrative pages. Include the appropriate heading for each listing.

- (d) One copy of all performance evaluations and monitoring reports by non-LSC funders, regulatory agencies, or evaluators within the past thirty-six months, if any. These documents should be converted to PDF and transmitted to LSC using the PDF Upload Site located at www.ain.lsc.gov.

Applicants that are not current LSC recipients must also submit:

- (e) One copy of independent financial statement audits for the last three years and the appropriate management letters, if available. These documents should be converted to PDF and transmitted to LSC using the PDF Upload Site located at www.ain.lsc.gov.

Applicants may be required to submit additional materials prior to the final award of grant funds.

IX. GUIDELINES FOR PROPOSAL NARRATIVE

GENERAL GUIDELINES. The primary criterion for LSC's consideration of all applications is the use of limited LSC resources to produce high quality, effective, and economical legal assistance that seeks to meet the basic legal needs of eligible clients within a comprehensive, integrated state delivery system.

LSC will evaluate each application according to nine specific selection criteria, which are contained in the LSC regulation on competitive bidding for grants and contracts, 45 C.F.R. §1634.9, and listed on pages 14-15 of the RFP. The proposal narrative incorporates these criteria, and together with the required forms, supplemental documentation, and other information available to LSC, will provide the basis for LSC's award decisions.

Applicant's narrative descriptions must be responsive to the information requested. Use the Proposal Narrative Outline (Attachment 1) to prepare the proposal narrative and the narrative supplements. Failure to use this outline will result in disqualification from the FY 2006 competitive process. Applicants must submit all required forms and required supplemental documentation. The proposal narrative must not exceed 45 double-spaced pages (unless more than one service area is applied for, or the poverty population for a single service area equals or exceeds one million persons).

WEIGHTING OF THE NARRATIVE. To assist applicants in their decisions concerning emphasis of the narrative, the particular weight that will be given to sections of Part 1 of the narrative has been indicated.

APPLICATIONS FOR MULTIPLE SERVICE AREAS. Applicants may seek funding for more than one service area. Applicants must indicate all services areas applied for at the top of the proposal narrative. It is possible that LSC will not grant an award for every service area sought.

APPLICATION NARRATIVE REQUIREMENTS: (Note: Send an e-mail to competition@lsc.gov for approval to exceed the narrative page limits below. Use your applicant ID and "Page Limit" for the subject line. In the e-mail provide the number of additional pages needed along with a brief explanation for the request.)

- a. Applications for a single basic field-general service area must respond to all applicable topics in the RFP. The page limit for these grant applications is 45 double-spaced pages.
- b. Applications for a single basic field-migrant service area must respond to all applicable topics in the RFP. The page limit for these grant applications is 45 double-spaced pages.
- c. Applications for a single basic field-Native American service area must respond to all applicable topics in the RFP. The page limit for these grant applications is 45 double-spaced pages.
- d. Applications for basic field-general and basic field-migrant service areas will comprise:
 1. a narrative, not to exceed 40 double-spaced pages, for the service area receiving the largest LSC grant, and
 2. a 15-page, double-spaced separate narrative supplement for the service area receiving the

smaller LSC grant.

The narrative and the separate narrative supplement must be formatted according to the Proposal Narrative Outline included with this RFP as Attachment – I, and respond to all topics in the RFP.

Applicants must follow the highlighted instructions enclosed in boxes at the beginning of each topic. Failure to do so will result in the application being returned. For each RFP topic in which activities are the same for both the basic field-Migrant service area and the basic field-general service delivery, the applicant should state in the narrative supplement that: “Applicant services and activities are the same for basic field-general and basic field-migrant service delivery.”

e. Applications for basic field-general and basic field-Native American service areas will comprise:

1. a narrative, not to exceed 40 double-spaced pages, for the service area receiving the largest LSC grant, and
2. a 15-page, double-spaced separate narrative supplement for the service area receiving the smaller LSC grant.

The narrative and the separate narrative supplement must be formatted according to the Proposal Narrative Outline included with this RFP as Attachment – I, and respond to all topics in the RFP.

Applicants must follow the highlighted instructions enclosed in boxes at the beginning of each topic. Failure to do so will result in the application being returned. For each RFP topic in which activities are the same for basic field-Native American service delivery as they are for basic field-general service delivery, the applicant should state in the narrative supplement that: “Applicant services and activities are the same for basic field-general and basic field-Native American service delivery.”

f. Applications for basic field-Native American, basic field-migrant, and basic field-general service areas will comprise:

1. a narrative, not to exceed 40 double-spaced pages, for the service area receiving the largest LSC grant, and
2. a 15-page, double-spaced separate narrative supplement for each of the remaining service areas receiving the smaller LSC grants.

The narrative and the separate narrative supplement must be formatted according to the Proposal Narrative Outline included with this RFP as Attachment – I, and respond to all topics in the RFP.

Applicants must follow the highlighted instructions enclosed in boxes at the beginning of each topic. Failure to do so will result in the application being returned. For each RFP topic in which activities are the same for basic field-Native American service delivery, basic field-general, or for basic field-migrant service delivery, the applicant should state in the narrative supplement

that: “Applicant services and activities are the same for basic field-general, and basic field-Native American, or basic field-migrant service delivery.”

- g. Applications for two basic field-general service areas will comprise:
1. a narrative, not to exceed 40 double-spaced pages, for the service area receiving the largest LSC grant, and
 2. a 15- page, double-spaced separate narrative supplement for each service area receiving the smaller LSC grant.

The narrative and the separate narrative supplement must be formatted according to the Proposal Narrative Outline included with this RFP as Attachment – I, and respond to all topics in the RFP. Applicants must follow the highlighted instructions enclosed in boxes at the beginning of each topic. Failure to do so will result in the application being returned. For each RFP topic in which activities are the same for the primary service delivery component as they are for the secondary service delivery component, the applicant should state in the narrative supplement that: “Applicant services and activities are the same for each basic field general service area.”

PART 1 -- PROPOSED DELIVERY SYSTEM

In this section of the narrative, the applicant should describe its proposed legal services delivery approach in relation to the LSC Act and regulations, the LSC Performance Criteria, the ABA Standards for Providers of Civil Legal Services to the Poor, and the ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means. Applicants will be evaluated according to LSC regulations, the LSC Performance Criteria and the ABA Civil Standards, except where the Standards conflict with current law or other funding restrictions. Particular attention should be given to the quality, feasibility, and cost-effectiveness of the selected approach. Applicants will be evaluated regarding their active participation in an integrated delivery system, which seeks to make the most efficient use of all resources, strives for innovations in delivery mechanisms, and creatively involves the private bar. Where the answer to an inquiry involves work that is being done collaboratively within the state delivery system, please discuss that. For example, discuss the collaborative resource development efforts in the answer on resource development.

A. IDENTIFYING AND ESTABLISHING THE MOST CRITICAL LEGAL NEEDS

Weight: 20 %

Legal services delivery approaches should be guided by a comprehensive planning and priority setting process that includes input from program staff and board members, the private bar, and others knowledgeable about clients’ needs, as well as broad-based participation by client-eligible persons. That process should lead to program priorities that reflect the most critical legal needs of the client community. Program resources must be targeted consistently with those priorities and related goals and objectives.

Note to applicants applying for Basic Field-General and/or Basic Field-Native American and/or Basic Field-Migrant service areas: *Needs Assessment (A-1); Critical Legal Needs (A-2), Priority Setting (A-3), and Other Legal Resources (A-6) typically vary for different service area types and population groups. Applicants must specifically describe the critical legal needs, the priority setting process and resulting priorities, and other legal resources in their responses to the inquiries below for each service area in separate proposal narratives. The proposal narrative for the service area receiving the largest LSC grant shall not exceed 40 double-spaced pages. The proposal narrative for each of the remaining service areas (i.e., the proposal narrative supplements) shall not exceed 15 double-spaced pages.*

Each narrative must be formatted using the Proposal Narrative Outline (Attachment – I), and respond to all topics in the RFP. Failure to do so will result in the application being returned. ***Refer to the Application Narrative Requirements for further detail.***

1. Describe the process used (or to be used) to identify the most critical legal needs of eligible clients in the service area.
 - a. Identify when the appraisal of client needs was (or will be) conducted.
 - b. Describe the protocols and instruments used (or that will be used) in collecting information about client needs. For example, identify the demographic and related data analyzed. If focus groups and/or interviews were conducted, list the categories and numbers of persons involved. If a written survey was used, list the categories and numbers of persons who submitted completed surveys and provide a sample of no more than five of the questions asked. Include a brief summary of the results.

Definitions:

Protocols and instruments include analysis of service area demographic data, personal interviews, group meetings, and written surveys.

Categories and numbers of persons means the numbers of current clients, client eligible persons, program staff, governing body members, the private bar members, judges, members of community groups, staff of public agencies, etc.

- c. Describe how the members of the client population participating (or who will participate) in the process were (or will be) identified. List the client eligible organizations that were (or will be) participating and the nature of their participation.
 - d. Describe steps undertaken (or planned) to obtain the views of clients with special access challenges, including persons who are Limited English Proficient (LEP), rural residents, those with limited literacy, etc.
 - e. Describe the analytical process(es) used to determine the most critical legal needs facing clients in the service area(s).

2. Among the results identified through your needs assessment process, which are determined to be most critical? Why? Most critical legal needs are those needs identified in applicant's needs assessment. They are different from "priorities" which are the applicant's response to the "most" critical needs that it has identified.
3. What priorities have been (will be) adopted because of the identified critical legal needs? For each priority, list: a) cases, b) matters, c) goals, and d) projected outcomes. This response should be no longer than five pages. An example of a narrative response for one priority is shown below. **Applicants are required to use the format provided in the following sample response on "Housing" in responding to this inquiry.**

Definitions:

Priorities can be either general statements of the work to be undertaken on behalf of clients (e.g., protecting the family, preserving the home) or substantive law subject matter areas (e.g., domestic relations, consumer law).

Cases include representation in negotiation, in litigation or in administrative proceedings, as well as advice and brief service and other services for individual clients. For example, a case type for the priority "preserving the home" might be "eviction cases."

Matters include direct services such as community education events, providing information about the availability of legal assistance, developing informational materials explaining legal rights and responsibilities, pro se clinic work, and continuing legal education. Matters may also include indirect services such as working with government and community service organizations to increase and improve services to clients. A type of matter concerning "preserving the home" might be the production of a pamphlet on eviction procedures or on Chapter 13 bankruptcies.

Goals are the results that the applicant intends to achieve in representing its clients. For example, the goal of some consumer protection cases may be stated as: to enable low-income persons to protect their income and assets.

Projected Outcomes include the effects of legal assistance provided to clients and other matters undertaken by applicants, and the measures by which the applicant's success in achieving those objectives will be assessed. Depending on the applicant's goals and objectives, outcomes might be stated in terms of funds obtained for clients, patterns and practices altered, evictions averted, housing conditions improved, domestic violence abated, benefits obtained or retained, and low-income individuals educated regarding their legal rights. **The following sample response for one priority provides a statement of cases, matters, goals, and outcomes. Applicants are required to follow the format below in responding to this inquiry.**

Priorities

“Housing” or “Maintaining the stock of decent, affordable housing”**A. Cases**

1. Eviction cases (other than non-payment of rent)
2. Conditions cases that affect the habitability of the premises
3. Other meritorious housing cases to the extent resources allow

B. Matters

1. Produce and distribute pamphlets on landlord/tenant law, public housing tenants rights and security deposit law (this material is available from a statewide web site)
2. Do community education session on landlord/tenant rights
3. Work with Sheriffs’ departments on handling of “self-help evictions”
4. Work with local FmHA office to improve enforcement of tenant rights in FmHA rental property

C. Goals

1. Maintain the stock of rental housing for low-income persons
2. Improve the condition of rental housing for low-income persons
3. Ensure that the laws protecting tenancies for low-income persons are exercised and enforced

D. Projected Outcomes

1. 50 private tenant and 10 public housing tenant families are successful in retaining their residences through cases undertaken
2. The conditions of 25 rental apartments/houses are improved by cases handled
3. The Sheriffs’ departments enforce the state law prohibiting self-help evictions by landlords
4. The FmHA office ensures that landlords follow the proper administrative steps before going to court in eviction proceedings
5. The brochures listed above are produced and distributed effectively to reach the client-eligible population in this service area (the existence of the web site and the ways to access the web site are generally known in the client community)
6. The landlord/tenant law community education session is given in each of the service area’s counties with sufficient publicity, where interested members of the client-eligible population would have the opportunity to attend and learn from it

4. Describe the analytical process(es) used to determine the priorities to address identified critical legal needs.
5. Identify when the priorities were (or will be) periodically reviewed and of what the periodic review consists.

6. Identify the names of other legal resources available to eligible clients in the applicant's service area that handle restricted cases, extended service cases, and provide advice, brief service, referrals, and community education. Examples of types of legal resources include: law school clinics; projects addressing senior, consumer, or domestic violence issues; projects of the organized bar; and public entities such as wage and hour or consumer commissions. Describe how the program priorities and strategies reflect consideration of those resources.
7. If critical legal needs have not been included in the priorities because another legal resource is available to meet those needs, does the applicant have a reasonable assurance or expectation that the alternate legal resource provides high quality service? Discuss the basis for this assurance or expectation.

Relevant Regulation:	45 C.F.R. Part 1620
Relevant LSC Performance Criteria:	1.1 - 1.3, 1.5, 2.2, 3.3
Relevant ABA Standards:	6.1, 6.4

B. COMPONENTS OF THE DELIVERY APPROACH

Weight: 20 %

A delivery structure should maximize the use of limited resources for legal services delivery and should include an intake system that provides broad and timely access to services for eligible clients.

Note to applicants applying for Basic Field-General, and/or Basic Field-Native American, and/or Basic Field-Migrant service areas: Office and Staffing Structure (B-1) and Intake Systems (B-2) typically vary for different service area types and population groups. In responding to these inquiries applicants are required to discuss the strategies employed for each service area in separate proposal narratives. The proposal narrative for the service area receiving the largest LSC grant shall not exceed 40 double-spaced pages. The proposal narrative(s) for each of the remaining service areas (i.e., the proposal narrative supplements) shall not exceed 15 double-spaced pages.

Each narrative must be formatted using the Proposal Narrative Outline (Attachment – I), and respond to all topics in the RFP. Failure to do so will result in the application being returned. ***Refer to the Application Narrative Requirements for further detail.***

1. Explain the office and staffing structure and diversity, including how the organization's offices and staff address cultural and ethnic sensibilities of specific groups in the service area including those with limited English proficiency. Please address the following topics in your response:
 - a. the rationale for office locations, including their geographic relationship to diverse client communities in the service area;

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- b. how the applicant will address access barriers clients may have to receiving services such as cognitive, mobility, geographic, and language barriers (**including limited English proficiency**);
 - c. how the staffing enables the applicant to meet the most critical legal needs of clients, including staff levels of experience and areas of expertise, as they relate to the most critical legal needs;
 - d. efforts to develop a board that reflects the community's diverse elements. Discuss board training activities that strengthen members' understanding of diversity, the **service area's** communities of color, new residents and other groups that might be overlooked;
 - e. list efforts, including training, to strengthen board awareness of their leadership responsibilities (i.e., understanding the critical legal needs of the client community, establishing priorities based on those needs, developing a budget that is consistent with program priorities and the program's operational goals and assures that priorities and goals are met, and evaluating the Executive Director and the effectiveness of the program in meeting its priorities and goals).
 - f. the strategies used to recruit, retain, and promote a diverse, high-quality staff:
 - (1) discuss the program's recruitment efforts directed at attracting diverse candidates,
 - (2) discuss retention efforts including whether the applicant offers loan repayment assistance to attorneys with high law school debt,
 - (3) discuss any training efforts designed to address diversity at staff levels, including activities sponsored by the organization that help staff acquire or improve foreign language skills and familiarity with the cultures represented by the various groups of client-eligible residents in the service area,
 - (4) list the program's efforts to address future leadership of the organization, such as formal mentoring systems and other initiatives, and
 - (5) include efforts that ensure that top levels include women and minorities as well as other activities to ensure that board and staff leadership is multi-cultural and responsive to the needs of diverse groups.
2. Describe the operation of the intake system. In your description, discuss how the intake system enhances the efficient delivery of legal services from the first point of client contact. If intake procedures differ by location or for type of case, note the differences in your discussion. Address the following:

-
- a. **Access.** The ways in which a potential client may initiate the intake process; whether calls are local or toll free; the specific days and hours when the intake line is open; other means of applying for services, including walking in to an office; and, in the case of callbacks, how long the caller must wait for a return call.
 - b. **Staffing.** The staffing of the intake system, including: the level of experience of the staff, and the use by intake staff of any written resource material (substantive or administrative). The applicant's management and oversight procedures for assuring high quality services to clients receiving counsel and advice, brief service, and referrals including: staff training, mechanisms to ensure adequate coverage for incoming requests; assessment of client satisfaction of the intake system, assessment of measurable outcomes, the review of intake decisions made about advice only or brief service cases and a review of the assistance provided.
 - c. **Decisions on Assistance.** The process by which a decision is made as to what assistance will be provided. Explain:
 - (1) The case acceptance criteria for brief service cases.
 - (2) How the applicant will provide counsel and advice, brief service and referral assistance for persons who will not be provided more extensive representation.
 - (3) How promptly assistance is provided:
 - a. from the time the client first contacts the office to the rendering of counsel and advice or brief service, and
 - b. if applicable, from the time the client receives counsel and advice or brief service to the time the client is first contacted by a case handler for more extensive representation.
 - (4) The client informational materials that are provided, what they consist of, and when they are used. The written correspondence regularly provided the client.
 - d. **Technology.** The use of computers, telephone systems (including voice mail), other communication systems, equipment, and technology in the intake process.

Relevant Forms for Section B:	Form D -- Budget Forms
Supplemental Documentation:	Performance Evaluations and Monitoring Reports
Relevant Regulations:	45 C.F.R. §§ 1611.7, 1611.8, 1616.3, 1616.4, 1616.5, 1616.7, 1620.4, 1624.5
Relevant LSC Performance Criteria:	1.5, 2.1, 3.1(a), 3.1(b), 3.2
Relevant ABA Standards:	1.1, 1.2, 1.6, 1.7, 2.1, 2.2, 3.1, 3.5, 3.7, 4.1 6.2

C. MANAGEMENT AND LEGAL WORK RESOURCES

Weight: 30%

Strong management, with high quality administrative systems and comprehensive legal work management systems and procedures, are essential to the capacity to deliver quality legal services.

Note to applicants applying for Basic Field-General, and/or Basic Field-Native American, and/or Basic Field-Migrant service areas: Management systems and procedures and legal work resources typically vary for different service area types and population groups. In responding to the inquiries below applicants are required to discuss the strategies employed for each service area in separate proposal narratives. The proposal narrative for the service area receiving the largest LSC grant shall not exceed 40 double-spaced pages. The proposal narrative(s) for each of the remaining service areas (i.e., the proposal narrative supplements) shall not exceed 15 double-spaced pages.

Each narrative must be formatted using the Proposal Narrative Outline (Attachment – I), and respond to all topics in the RFP. Failure to do so will result in the application being returned. **Refer to the Application Narrative Requirements for further detail.**

Definition:

Strategic Planning: involves an analysis of the organizational structure as well as the factors which sustain it and challenge its survival in the state delivery system. This type of strategic planning depends on an accurate assessment of the climate or culture in which the organization exists as well as the needs and expectations of those it serves. Organizational strategic planning results in a plan that describes the direction the organization is heading and addresses the coordination of activities in both the present and future. It should include a listing of the outcomes of the planning.

1. Using the strategic planning framework described above, discuss the applicant's strategic planning that has occurred since the last grant application was filed or that is proposed.
2. Describe the applicant's management policies and procedures. Address the following factors in your description:

- a. How the budget planning process is integrated with program goals and priorities. Discuss the Executive Director's and the governing/policy body's involvement in the program's budget planning and oversight.
 - b. How the applicant promotes and assures regular communication among staff and among offices. The discussion should identify the frequency of staff meetings the frequency of office visits conducted by the program director, office practices that encourage open communications between staff and management, and the use of technology to facilitate communications.
 - c. Staff and Executive Director performance evaluations. Discuss the frequency of the evaluations, what the evaluations entail, the extent of staff involvement in the evaluation process, and how the evaluations are used to improve performance and promote professional development.
 - d. Methods to recognize exceptional staff accomplishments.
 - e. Internal systems used by the applicant to evaluate program performance, the quality of legal services provided to clients, and the use of program resources. To the extent to which this question is answered by your responses to A3 and/or C2, please reference these answers.
 - f. External evaluations or assessments of applicant's program performance, the quality of legal services provided to clients, and the use of program resources. Specifically identify the sources of any external evaluation of legal services delivery (i.e., peer review, IOLTA, United Way, etc.). State whether the applicant has been assessed or evaluated by a funder, agency, or other organization, and by whom, within the past twenty-four months, and whether the applicant is scheduled for an external assessment or evaluation within the next twenty-four months and by whom.
3. Describe the applicant's plan and systems for legal work management and supervision. Address the following factors in your description:
 - a. Methods of case assignments and supervision to assure that casehandlers' caseloads are appropriate to their experience and expertise.
 - b. Methods to assure sufficient case planning for all extended service work undertaken by casehandlers such as, case review meetings, advocate staff case meetings and opening memoranda.
 - c. Mechanisms to assure that cases are being handled in a timely manner; e.g., tickler systems, periodic case reports on case status, and case reviews.
 - d. Methods or mechanisms to assure that cases are being handled effectively. Using the chart below place an "X" in the appropriate box to indicate whether the applicant "always," "usually," "sometimes," or "never" employs the method or mechanism to assure that cases and matters are effectively handled.

(Please copy and paste the chart below into the proposal narrative and complete it.)

		Always	Usually	Sometimes	Never
1	Supervisor case review meetings with casehandler				
2	Supervisor review of files at time of closing				
3	Review of written work (i.e., briefs significant memoranda, pleadings)				
4	Availability of a litigation fund (e.g., depositions, expert witnesses, process servers, trial aids, interpreters and translators)				
5	Mooting appellate arguments				

- e. Protocols adopted to assure that cases are being handled effectively. For each item listed below, place an “X” in the appropriate response to indicate if the applicant has (“yes”) or does not have (“no”) such a protocol in place.

(Please copy and paste the chart below into the proposal narrative and complete it.)

		Yes	No
1	Protocols and standards pertaining to deadlines		
2	Interview check lists for common case types		
3	Case handling protocols for specific common practice areas		
4	Case file coverage for vacation and other case handler absences		
5	Protocols for file maintenance		
6	Protocols for prompt case closings		
7	Protocols to capture case outcome(s)		
8	Utilization of practice area software (e.g., bankruptcy, child support, earned income tax credit, etc.)		

- f. Mechanisms to assure that clients are kept informed and participate in decisions about their cases. Describe how confirmation is provided to clients about advice given to them and decisions they make concerning their cases. Describe how

clients are informed of their responsibilities in the representation. Discuss the frequency of contact with clients. Do clients receive closing letters?

- g. Mechanisms to assure that casehandlers are aware of and comply with the applicant's priorities, the LSC Act, and LSC appropriations acts, and regulatory requirements (e.g. procedure manuals and periodic training).

4. Describe applicant's training program for staff. Address the following factors in your answer:

- a. Who determines staff (advocacy, management and support) needs for trainings.
- b. Who makes decisions on training participation?
- c. Use the chart below to indicate the extent to which staff received training in the last twenty-four months. Complete the chart by entering the word "all," "many," "some," or "none" for each position category. An entry is required for each box in the chart.

(Please copy and paste the chart below into the proposal narrative and complete it.)

	Position Category	Skills Training	Substantive Training	Technology Training	Management Training
1	Attorneys				
2	Paralegals				
3	Managers				
4	Administrators				
5	Support staff				

- d. Identify outside trainings at which program staff were speakers during the last twenty-four months.
- e. Identify the five most significant in-house trainings provided during the last twenty-four months.

5. Describe the applicant's plans to ensure that it has or has access to the following:

- a. Specialized expertise in litigation and on complex legal issues.
- b. Library and other legal research materials (written and/or electronic) including practice manuals, brief and form banks, and substantive listservs.

- c. Timely information about key judicial, administrative and legislative developments at state and federal levels affecting eligible clients and appropriate legal strategies to respond to those developments.
6. List the sections in the narrative where you have referred to the use of computers or telephone technology (please make sure that where you make significant use of technology, that use is discussed in the proposal narrative. Also, describe additional uses of technology not otherwise addressed in the narrative. Examples: references to web sites and web pages in section A.3, references to telephone systems and 800 numbers in section B2, and descriptions of telephone system functions and of the use of the case management systems in intake in section B.2.)

Relevant Forms for Section C:	Form D -- Budget Forms Form F -- Governing/Policy Board Forms Form K -- Technology Form
Supplemental Documentation:	Performance Evaluations and Monitoring Reports List of Disciplinary Complaints, etc.
Relevant Regulations:	45 C.F.R. §§ 1607.4, 1616.3, 1616.4, 1616.5, 1611.8, 1629.3
1996 Audit Guide:	Sections 1-2, 1-9
Relevant LSC Performance Criteria:	1.2, 3, 3.1(a), 3.1(b), 3.5, 3.7, 4.1 - 4.5, 5.3
Relevant ABA Standards:	1.1, 1.2, 1.4, 1.5, 2.2 - 2.5, 3.2, 3.3, 3.5, 3.7 4.4, 5.2, 5.3, and 6.1

D. COORDINATION WITHIN THE DELIVERY SYSTEM

Weight: 20%

Legal services providers should be active participants in an integrated delivery system that seeks to make the most efficient use of all resources, seeks to increase resources, strives for innovations in delivery mechanisms, and is creative in the involvement of the private bar.

Note to applicants applying for Basic Field-General, and/or Basic Field-Native American, and/or Basic Field-Migrant service areas: Coordination with groups and organizations typically varies for different service area types and population groups. In responding to the inquiries below, applicants are required to discuss the coordination efforts and strategies employed for each service area in separate proposal narratives. The proposal narrative for the service area receiving the largest LSC grant shall not exceed 40 double-spaced pages. The proposal narrative(s) for each of the remaining service areas (i.e., the proposal narrative supplements) shall not exceed 15 double-spaced pages.

Each narrative must be formatted using the Proposal Narrative Outline (Attachment – I), and respond to all topics in the RFP. Failure to do so will result in the application being returned. **Refer to the Application Narrative Requirements for further detail.**

1. Describe the three most significant efforts undertaken with local groups, organizations, or agencies within the service area to address problems faced by eligible clients during the past twenty-four months. For each of the three significant efforts, discuss the problem that exists (or existed) and explain how these efforts helped address them. Describe the program's role in addressing the problem.
2. Applicant's Coordination Efforts: Provide three examples of program advocates active involvement with organizations and groups within the service area (e.g., serving on a board of directors of a community organization, membership in a local coalition, etc.) within the past twenty-four months.
3. Applicant's State Justice Community Coordination Efforts: Describe the two most significant contributions the applicant made to the state delivery system during the past twenty-four months. Describe the impact of your contributions.
4. List the sections in the proposal narrative where you have referred to your collaborative involvement in efforts that are integrated statewide, or that foster an integrated state delivery system. (Examples: In section A.1., needs assessment will be done statewide this year. In section A.3., a statewide web site is used to provide access to CLE and Pro Se materials.)
5. Use of Private Attorneys: All successful applicants for Basic Field-General funding (including private attorneys, groups of attorneys, and law firms) will be required to comply with 45 C.F.R. Part 1614, which requires that an amount equal to at least 12½% of the annual LSC Basic Field-General award be devoted by the applicant to the involvement of private attorneys in the delivery of legal services to the poor. This requirement seeks to leverage limited resources by involving the private bar through pro bono and compensated models that generate additional services for eligible clients.

45 C.F.R. §1614.4(b) requires that recipients of LSC funds: a) consult with significant segments of the client community, private attorneys, and bar associations, including minority and women's bar associations, in the service area about the applicant's plan to involve private attorneys in the provision of legal assistance to eligible clients, b) to document that the recipient's PAI plan has been presented to all local bar associations within the recipient's service area, and c) to document the responses from the bar.

Describe the applicant's plans for the effective use of private attorneys in the delivery of legal services to eligible clients, including:

- a. How the PAI efforts will be staffed and the level of private attorney participation. In your discussion address:
 - (1) The number of applicant or subgrantee positions that will be involved in the PAI project (in full-time equivalents) by title and responsibility.

-
- (2) The number of attorneys eligible to participate in the PAI program in the service area.
 - (3) The number of attorneys that currently participate in the PAI program (if relevant).
 - (4) The number of attorneys that make a monetary donation in lieu of participating in the PAI program.
 - (5) The number of new attorney participants the applicant recruited last year (if applicable).
 - (6) The number of additional participants the applicant projects it will recruit this year.
 - b. The methods used to recruit private attorneys including personal and written contacts, involvement of the bar and bench, public service announcements in the local legal media and targeted recruitment to lawyers with special skills. Describe the applicant's plans to retain private attorney volunteers, including the use of retention inducements such as the provision of malpractice insurance, mentoring, training, inclusion in substantive law task forces, provision of other substantive support such as access to specialized research materials and recognition methods.
 - c. How the applicant will involve private attorneys in its work. Describe any methods that the applicant is using or plans to use to involve private attorneys in the applicant's work, such as case handling, hotlines, full service and pro se clinics, community education, and staff training. Describe how the particular skills of private attorneys will be coordinated with identified client and program needs. This description should include an explanation of the range of services provided, how these meet identified client and program needs, how they meet the participants needs, and why these uses of private attorneys are the most effective and efficient methods for the applicant to involve the private bar in service delivery.
 - d. How the applicant will ensure quality control of its PAI efforts including assuring that attorney participants are qualified, that participants will receive sufficient support in their efforts, and that all cases sent to participants are appropriate. Describe the applicant's monitoring process used to manage case referrals, case oversight, client satisfaction, etc. Applicants should specifically address how they are using technology in all aspects of their PAI program.
6. Describe the applicant's plan to develop additional resources from public and private sources. This description should include:
- a. Plans to obtain funds from both government and private sources, and plans to leverage non-financial resources, e.g., in-kind donations of office equipment and staff, law student and retired attorney volunteers, law school faculty or other law school resources, former clients and/or lay advocates.

- b. Staff's role and responsibilities for resource development activities.
- c. Whether the applicant produces an annual report and if so how the report is used as a fundraising tool.

Relevant Forms For Section D:	Form D -- Budget Forms Form K -- Technology Forms
Supplemental Documentation:	List of References Performance Evaluations and Monitoring Reports
Relevant Regulation:	45 C.F.R. Part 1614
Relevant LSC Performance Criteria:	4.6
Relevant ABA Standards:	6.2
Relevant ABA Pro Bono Standards:	2.4, 3.4-7, 3.5, 4.2, 4.4, 4.5, 4.6

E. EXPERIENCE AND REPUTATION

Weight: 10 %

An applicant's previous accomplishments are important indicators of its ability to successfully implement a plan to effectively and efficiently provide high quality legal assistance. While some of those accomplishments will be reflected in the quality of the proposed delivery system (outlined in parts A-D, above), others are evidenced by the applicant's prior legal work. Applicants that previously have not been an LSC recipient have the option of providing additional information that demonstrates their ability to serve eligible clients effectively.

Note to applicants applying for Basic Field-General, and/or Basic Field-Native American, and/or Basic Field-Migrant service areas: In responding to the inquiries below, applicants are required to specifically describe their experience and accomplishments for each service area in separate proposal narratives. The proposal narrative for the service area receiving the largest LSC grant shall not exceed 40 double-spaced pages. The proposal narrative(s) for each of the remaining service areas (i.e., the proposal narrative supplements) shall not exceed 15 double-spaced pages.

Each narrative must be formatted using the Proposal Narrative Outline (Attachment – I), and respond to all topics in the RFP. Failure to do so will result in the application being returned. **Refer to the Application Narrative Requirements for further detail.**

- Only for current LSC grant recipients-** Refer to your last LSC grant application (Section A3). State the three most significant priorities from that application and discuss the extent to which you did or did not meet the projected outcomes from those priorities.
- Only for current LSC grant recipients-** If fewer than 5% of cases reported in your last application were in an area identified as a priority, discuss why.

3. **For all applicants-** Describe the applicant's three most significant accomplishments for clients in cases or matters within the last twenty-four months. For each case or matter listed, describe the issue(s), outcome(s) and significance to the client community.
4. **Only for applicants who provide services primarily limited to a particular type or level of legal assistance such as advice, referral and brief service³** – Describe three significant accomplishments for clients in cases or matters that demonstrate the applicant's participation in a delivery system that addresses services not handled by the applicant and that ensures the availability of a full range of legal assistance in the service area. Examples may include a significant ruling by a court or administrative agency in a case or matter handled by a partner provider in the service area. The particular case or matter need not have originated with the applicant (i.e., the applicant need not have provided advice, counsel or brief service and subsequently referred the case to the other provider in the service area for extended representation). Significant accomplishments under this section may also include economic development or community empowerment projects that address issues that clearly affect significant numbers of clients or will result in significant benefits to clients or the client community.
5. **Only for applicants who are not currently an LSC grant recipient-** Describe accomplishments that demonstrate your ability to provide the highest quality of legal services to clients. This may include staff leadership in the community, outstanding management, development of effective team work/supervision, or the introduction of new technology or distinctive advocacy efforts for particular clients.

Supplemental Documentation:	Performance Evaluations and Monitoring Reports; Resumes; List of References; List of Disciplinary Complaints, etc.
Relevant Regulation	45 C.F.R. Section 1634.9
Relevant LSC Performance Criteria:	1.2, 1.5, 2.2, 3.1, 4.1, 4.3, 4.4, 4.5
Relevant ABA Standards:	1.1, 1.2, 1.5, 2.2, 2.3, 2.4, 2.5, 3.1, 3.2, 3.3, 3.5, 3.6, 3.7, 4.1, 4.3, 4.4, 4.5, 5.2, 5.3, 6.2, 6.5

F. SUBGRANTS See page 7 before preparing any subgrant information.

The scope and quality of services provided should be similar throughout the service area. The subgrantee's work should be coordinated with that of the grantee. Subgrantees must adhere to the

³ Applicants providing less than a full range of services, are required to demonstrate to LSC's satisfaction that it is or will be part of a delivery system that does provide a full range of services. Please see page 9 of the RFP regarding the requirements for a 'full range of services.'

same standards that apply to all recipients of LSC funds, including the primary criterion, that is, to produce high quality, effective and economical legal assistance that seeks to meet the basic legal needs of eligible clients.

Applicants are required to respond to the topics below if a grant proposal is being submitted in which twenty-five percent or more of the LSC grant award will be subgranted, or if a subgrantee will deliver a full range of services to a specific geographic area within the overall service area. Applicants are required to respond to the topics for each subgrant meeting those criteria. Additionally, applicants are required to complete Attachment 2 (Certification of Intent to Enter into a Subgrant Agreement) for each subgrant meeting those criteria. No specific weight is assigned to the section on subgrants. This is a threshold requirement in order to receive LSC funds. Failure to meet this requirement disqualifies an applicant.

1. Subgrantee name: _____
2. Amount of the subgrant: \$ _____
3. If the subgrantee is providing a full range of services to a geographical area within the service area, describe the area. If not, describe the subgrantee's responsibilities in some detail.
4. If the subgrantee is providing a full range of services to a specific geographical area within the service area, use the outline below to describe the subgrantee's responsibilities, and the relationship between the applicant and the subgrantee. The applicant should address each topic. The applicant may use a maximum of ten pages for this response. The number of pages used for this response does not count toward the total number of pages of the grant proposal narrative for each section.

When responding to items a. through d., in those instances where the subgrantee is currently receiving an LSC grant and submitted a grant application or grant renewal application in 2004 for program year 2005, discuss only significant changes or developments in the each section since the subgrantee's last submittal to LSC. If there have been no significant changes or developments in the area, state that information in one sentence.

- a. **Identifying and establishing the most critical legal needs** (e.g., describe the subgrantee's responsibilities in determining the process used to identify the most critical legal needs, conclusions on the most critical legal needs, priorities based on the most critical legal needs, and other available legal resources.)
- b. **Components of the delivery approach** (e.g., describe the subgrantee's office and staffing structure as well as the operation of the intake system.)
- c. **Management and legal work resources** (e.g., describe the subgrantee's involvement in strategic planning, management policies and procedures, legal work management and supervision, staff training, and plans to ensure access to specialized expertise and legal

research materials.)

- d. **Coordination within the delivery system** (e.g., describe the subgrantee's efforts undertaken with community groups and organizations, use of private attorneys, and development of resources from public and private sources.)

All applicants must respond to items E and F.

- e. Describe the relative roles and functions of the respective governing/policy bodies of the recipient and subrecipient as they relate to the subgrant.
- f. Identify the steps the applicant will take to ensure that the subgrantee adheres to the terms and conditions of the subgrant agreement.

Other Required Subgrant Documents. If the subgrantee has not been a recipient of LSC funds in the past thirty-six months, applicants must submit the following information on subgrantees:

- g. Resumes of the subgrantee Executive Director (CEO or functional equivalent), Governing/Policy Body Chair, Chief Financial Officer, Litigation Director, or other most senior attorney(s), if known. For lawyers and law firms, provide the resumes of no more than ten of the partners, senior associates, and administrative managers who will be most involved in management or service delivery if a grant is awarded.
- h. List of up to ten professional references for the subgrantee's organization or, in the case of a new organization, applicant's principals. Provide e-mail addresses, fax numbers, mailing addresses, and telephone numbers. Do not submit letters of reference.
- i. List of subgrantee's professional disciplinary complaints, criminal convictions, civil contempt, and malpractice lawsuits and/or claims made against the applicant or any of its current attorneys during the past thirty-six months.
- j. One copy of all performance evaluations and monitoring reports by non-LSC funders, regulatory agencies, or evaluators of the subgrantee within the past thirty-six months, if any.
- k. One copy of independent financial statement audits for the last three years and the appropriate management letters, if available.

Note: The information requested here is not a substitute for preparing and submitting the subgrant agreement to LSC. As required by 45 C.F.R. Part 1627, all subgrants must be submitted in writing to LSC for written approval. The subgrant agreement must be submitted to the LSC Office of Compliance and Enforcement no later than November 1, 2005. Applicants are encouraged to thoroughly review the LSC regulation on subgrants, 45 C.F.R. Part 1627.

Supplemental Documentation:	Certification of Intent to Enter into a Subgrant
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	Agreement (<i>Attachment 2</i>)
Relevant Regulation	45 C.F.R. Section 1627

PART 2 -- OTHER REQUIREMENTS

Please note that no specific weight is assigned to any of the requirements in this part. These are threshold requirements in order to receive LSC funds. Failure to meet these requirements disqualifies an applicant.

A. CONFLICTS OF INTEREST

In this section of the narrative, applicant must disclose any potential significant conflicts (e.g., applicant has been retained by a housing authority or financial institution) and should describe its capacity to protect against any such conflicts that may arise during the term of the grant or contract.

Relevant Forms for Section A:	Form C -- Grant Assurances Form
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B. GOVERNING/POLICY BODY

All recipients of LSC funds must have a governing or policy body consistent with the requirements of 45 C.F.R. Part 1607. This regulation is designed to ensure that the governing or policy body of a recipient of LSC funds is well qualified to guide a recipient in its efforts to provide high quality legal assistance and to ensure that the recipient is accountable to its clients.

The composition of the governing or policy body must be at least one-third eligible clients appointed by appropriate client groups, and at least 60 percent attorneys. A majority of the entire Board must be attorneys who are appointed by the bar associations representing a majority of the attorneys in the service area(s). Additionally, the governing or policy body members should be supportive of the purposes of the LSC Act and have an interest in, and knowledge of, the delivery of quality legal services to the poor.

The regulation defines governing and policy bodies separately. A governing body is a board of directors or other body with authority to govern the activities of a recipient receiving funds under 42 U.S.C. §2996e(a)(1)(A). A policy body is a policy board or other body established by a recipient to formulate and enforce policy with respect to the services provided under a grant or contract made under the Act. For a policy body to comply with the regulations, it must be approved by the President of LSC through a waiver of the governing body regulations.

Applicants that currently do not have a governing or policy body that complies with 45 C.F.R. Part 1607 must provide a plan to meet the governing/policy body requirements. Also, applicants applying for a

service area consisting of counties that are different from the last year that the service area was in competition are required to file a governing/policy body plan. This requirement helps assure that the Board of an LSC grantee reasonably reflects the diversity of the legal community and the population of the area(s) served.

Submit the governing/policy body plan along with and at the end of the proposal narrative. Limit the governing/policy body plan to three double-space type written pages. Address the following topics in the governing/policy body plan:

- a. the characteristics of the service area including client diversity, special population groups, and geography;
- b. the total number of governing/policy body members of the proposed board;
- c. the steps that will be taken to assure ethnic, racial, and gender diversity of the proposed board;
- d. the anticipated racial, ethnic, and gender distribution of the proposed board;
- e. the appointing organizations of the proposed board for attorney and client board members; and
- f. how the recipient is assured that the proposed board will be actively engaged in promoting client-centered legal services delivery.

For applicants planning to have a policy body, submission of this plan shall be deemed submission of a waiver request under 45 C.F.R. Part 1607 and shall be subject to approval by the LSC President. All successful applicants will be required to be in compliance with 45 C.F.R. Part 1607 within sixty days from the date the grant award is made. Applicants are encouraged to thoroughly review 45 C.F.R. Part 1607 before preparing the plan. See Form-F in the Forms section of the RFP for instructions, requirements, and the format to follow for the Governing/Policy Body Plan.

Relevant Form for Section B:	Form F -- Governing/Policy Body Forms
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C. CAPACITY TO COMPLY WITH THE LSC ACT AND REGULATIONS

There is no narrative required for this section of the Request for Proposals. However, during the proposal review process, applicants may be requested to provide copies of:

1. IRS tax-exempt certification, if applicable
2. Current malpractice insurance information
3. Articles of Incorporation and Bylaws, partnership articles, or other governing documents.

Do not submit IRS tax-exempt certification, malpractice insurance information, or articles of incorporation and bylaws with the grant application. Instead, applicants must sign Form I (Certification Form), indicating that these documents are available to LSC upon request.

Relevant Form for Section C:	Form C -- Grant Assurances Form Form I -- Certification Form
Supplemental Documentation:	<ol style="list-style-type: none">1. Independent financial audits for the last three years, if available (only applicants who are not currently LSC recipients).2. IRS tax-exempt certification, if applicable3. Current malpractice insurance information4. Articles of Incorporation and Bylaws, partnership articles, or other governing documents.

**ATTACHMENT 1
PROPOSAL NARRATIVE OUTLINE
FY 2006 GRANTS COMPETITION**

Applicants are required to use this outline to prepare the proposal narrative for the service area receiving the largest LSC grant and for the proposal narrative supplements. Precede each section of the proposal narrative and the proposal narrative supplement with the appropriate topic or subtopic. If the inquiry in the proposal narrative instruction is not applicable, applicants are still required to enter the topic but state “the topic is not applicable.”

APPLICANT NAME: _____

APPLICANT NUMBER: _____

LIST ALL SERVICE AREAS APPLIED FOR: _____

A. IDENTIFYING AND ESTABLISHING THE MOST CRITICAL LEGAL NEEDS

Weight: 20 %

- 1. Process used to identify the most critical legal needs**
 - a. date of the most recent client needs appraisal
 - b. instruments or protocols used
 - c. client and client group participation in this process
 - d. obtaining the views of clients with special access challenges
 - e. process used to determine the most critical legal needs
- 2. Conclusions on the most critical legal needs**
- 3. Priorities based on the most critical legal needs**
- 4. Analytical process used to determine priorities**
- 5. Review of priorities and of what the review consists**
- 6. Other legal resources**
- 7. Quality of service from alternate legal resources**

B. COMPONENTS OF THE DELIVERY APPROACH

Weight: 20 %

- 1. Office and staffing structure and diversity**
 - a. rationale for the office locations
 - b. applicant strategy for addressing client access barriers
 - c. staff experience and expertise as they relate to the most critical legal needs
 - d. efforts to develop a board that reflects the community’s diverse elements
 - e. list efforts, including training, to strengthen board leadership responsibilities

- f. staff diversity, recruitment and retention

2. Operation of the intake system

- a. ways in which clients initiate the intake process
- b. staffing of the intake system
- c. decisions on the type of assistance provided to clients
- d. use of technology in the intake process

C. MANAGEMENT AND LEGAL WORK RESOURCES

Weight: 30%

1. Strategic planning proposed or that has occurred

2. Management policies and procedures

- a. budget planning and oversight
- b. communication among staff and offices
- c. staff and executive director performance evaluations
- d. methods to recognize staff accomplishments
- e. internal evaluations of applicant's program performance, the quality of legal services to clients, and the use of program resources
- f. external evaluations of applicant's program performance, the quality of legal services to clients, and the use of program resources

3. Legal work management and supervision

- a. appropriate caseloads for experience and expertise
- b. case planning
- c. timely casework
- d. methods or mechanisms to assure cases are handled effectively
- e. Protocols to assure that cases and matters are being handled effectively
- f. client participation
- g. case handlers' compliance with priorities and other requirements

4. Staff Training

- a. determination of staff training needs
- b. decisions on training
- c. extent to which staff received training in the last twenty-four months
- d. outside trainings at which program staff were speakers during the last twenty-four months
- e. in-house trainings approved for CLE credit during the last twenty-four months

5. Plans to ensure access to resources

- a. specialized expertise in litigation and complex legal issues
- b. access to substantive poverty law research tools

- c. timely access to judicial, administrative, and legislative developments

6. Use of Technology

D. COORDINATION WITHIN THE DELIVERY SYSTEM Weight: Weight 20%

1. **Three most significant efforts to address problems of clients during the past twenty-four months**
2. **Applicant's coordination efforts within the service area**
3. **Applicant's State Justice Community Coordination Efforts**
4. **Collaborative involvement in efforts that are integrated statewide, or that foster an integrated state delivery system**
5. **Use of private attorneys**
 - a. staffing
 - b. recruitment and retention
 - c. involvement in applicant's work
 - d. quality control
6. **Resource development**
 - a. leveraging financial and non-financial resources
 - b. roles of staff responsible for resource development
 - c. applicant annual reports and how they are used

E. EXPERIENCE AND REPUTATION Weight: 10 %

1. **Objectives and outcomes achieved**
2. **Review of priorities with CSR data**
3. **Applicant's three most significant accomplishments for clients within the last twenty-four months**
4. **For applicants who provide services primarily limited to a particular type or level of legal assistance such as advice, referral and brief service. List three significant accomplishments that demonstrate the availability of a full range of legal assistance in the service area.**
5. **For applicants that have not been an LSC recipient, discuss significant accomplishments demonstrating ability in the following areas:**

- a. Leadership in the community
- b. Outstanding management
- c. Representation of low-income clients

Include the “Requisite Attachments” here (i.e., (a) resumes, (b) professional references, and (c) disciplinary complaints described on page 20).

F. SUBGRANTS See page 7 before preparing subgrant information.

The format for providing subgrant information is found on page 38 of this instruction. Applicants are required to use that format in providing subgrant information. Note that no specific weight is assigned to the section on subgrants. This is a threshold requirement in order to receive LSC funds. Failure to meet this requirement disqualifies an applicant.

PART 2 - OTHER REQUIREMENTS

- a. Conflicts of Interest
- b. Governing/Policy Body Plan (required for current LSC grantees applying for a service area consisting of counties that are different from the last year the service area was in competition, and new applicants).

ATTACHMENT 2**Certification of Intent to Enter into a Subgrant Agreement**

See page 7 before completing this form.

Applicant Name: _____**Applicant Number:** _____

Instruction: Complete this certification, convert it to PDF and transmit it to LSC using the PDF Upload Site at www.ain.lsc.gov. This certification should be completed for each subgrant in which twenty-five percent or more of the LSC grant award will be subgranted, or if a subgrantee will deliver a full range of services to a specific geographic area within the overall service area.

1. The applicant hereby certifies that, should it be awarded a grant under this grant application, the applicant intends to subgrant a portion of the grant award to:
_____ (name of subgrantee).
2. _____ (name of subgrantee)
hereby agrees to accept the subgrant from applicant and deliver services under the terms of the subgrant agreement to be negotiated between the parties.

Executive Director_____
Executive Director_____
Name of Applicant Program_____
Name of Subgrantee Program_____
Date:_____
Date:_____
Board Chair Signature - Applicant_____
Board Chair Signature - Subgrantee_____
Date:_____
Date:

ATTACHMENT 3

Applicant Staff Contact Information

LSC requests that all applicants provide staff contact information to receive bulletins, announcements, and other information pertaining to legal services delivery.

Please use the format below to provide applicant staff contact information for each permanent, full-time employee. Enter the employee's name, job classification code, email address, and the applicant number. Use the job classification codes below to assure consistency in this data. **This information will not count against the proposal narrative page limit. Attach this contact information with and below the Proposal Narrative.**

Applicant Staff Name	Applicant Staff Job Classification Code	Applicant Staff E-mail Address	Applicant Number
John Doe	13	john@doe.org	000000
Jane Doe	07	jane@doe.org	000000

Job Classification Codes and Definitions

01 Director - This category refers only to the chief executive officer.

03 Deputy Director - This category refers to the deputy executive officer.

05 Director of Litigation - This category refers to the executive responsible for oversight of litigation.

07 Managing Attorney - This category refers to attorneys who supervise legal work and have substantial administrative and financial responsibilities, e.g., administer a cost center, branch office, or the like.

09 Supervising Attorney - This category refers to attorneys who supervise legal work but do not have substantial administrative and financial responsibilities.

11 Staff Attorney - This category includes all other attorneys, as well as law school graduates, who have not passed a bar examination.

13 Paralegal - This category includes professionals whose duties consist primarily of such activities as intake interviewing, case investigations, checking court records, legal research, client representation at administrative hearings, and outreach and community work.

14 Technology Staff - This category refers to individuals who devote a major portion of time to maintaining the program's computers, web site(s), and technology infrastructure.

15 PAI Coordinator - This category refers to a person who devotes a major portion of time to coordination of the Recipient's PAI plan.

17 Training Responsible Person - This category refers to an individual who devotes a major portion of time coordinating or providing training for the Recipient's or sub-recipient's staff.

18 Financial Professional - This category refers to persons who assist the director with financial management (e.g. controller, accountant or bookkeeper).

19 Management Professional - This category refers to persons who assist the director with personnel or administrative management. It does not include managing attorney positions covered in job code 07 or financial professionals covered in job code 18.

21 Law Clerk - This category refers to law students who have not graduated from law school.

23 Senior Aide - Refers to persons employed under a specially designed job program for older workers.

25 Administrative Assistant - This category refers to executive assistants and administrative aides who do not have substantial administrative and financial responsibilities, but whose duties exceed those delegated to legal secretaries and clerical workers.

27 Secretarial/Clerical - This category includes all legal secretaries, as well as clerical workers, such as typists, file clerks and receptionists.

99 Other